

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. ) Case No.: 4:13-cr-430 CDP  
 )  
 LONNY AUSTIN FIELDER, )  
 )  
 Defendant. )

## **DEFENDANT'S FIFTH UNOPPOSED MOTION TO CONTINUE TRIAL**

COMES NOW Defendant, Lonny Fielder, by and through counsel, and hereby moves this Court to continue the trial presently scheduled for July 21, 2014 for a period of twenty (20) days.

In support of this motion, Defendant states as follows:

1. Plea negotiations in this matter have consumed more time than ordinary because they could not begin in earnest until counsel for Defendant received Social Security Administration and medical records to confirm both Defendant's physical condition and the physical and mental condition of Defendant's wife.
2. Counsel for Defendant received the first of the records approximately 30 to 40 days ago and the last of them about one week ago.
3. Counsel for Defendant has since discussed these records with the government and, as a result, the parties expect to finalize their plea negotiations within the next ten (10) days.
4. Accordingly, Defendant files the instant motion to obtain the small amount of additional time needed to finalize the parties' negotiations.
5. For this reason, the instant motion is necessary to provide counsel for the

“defendant...the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.” See 18 U.S.C. § 3161(h)(7)(B)(iv). Accordingly, “the ends of justice served by [granting this motion] outweigh the best interest of the public and the defendant in a speedy trial.” 18 U.S.C. § 3161(h)(7)(A).

6. Defendant, through counsel, has discussed this matter with assistant United States attorney John Davis. Mr. Davis does not object to Defendant’s request.

WHEREFORE, Defendant respectfully requests this Honorable Court continue the trial presently scheduled for July 21, 2014 for a period of days twenty (20) days.

Respectfully submitted,

ROSENBLUM, SCHWARTZ, ROGERS & GLASS, PC

By: /S/ Adam D. Fein  
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Attorney for Defendant  
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**CERTIFICATE OF SERVICE** (314)862-8050

I hereby certify that on July 15, 2014, the foregoing was electronically filed with the Clerk of the Court to be served by operation of the Court’s electronic filing system upon Mr. John Davis, Assistant United States Attorney.